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FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. APPLICATION NO. FILING DATE AFF013USPT02 3891 02/04/2004 **Dennis Piper** 10/771,898 EXAMINER 23403 12/13/2005 SHERRILL LAW OFFICES LINDSEY, RODNEY M **4756 BANNING AVE** PAPER NUMBER ART UNIT SUITE 212 WHITE BEAR LAKE, MN 55110-3205 3765

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)	
10/771,898	PIPER ET AL.	
Examiner	Art Unit	
Rodney M. Lindsey	3765	

THE REPLY FILED 06 December 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. 1. ☑ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidiavil, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 14.1.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 14.1.1. The reply must be filed within one of the following imperiods: 3 ☐ The period for reply expiresmonths from the mailing date of the final rejection. 5) ☑ The period for reply expiresmonths from the mailing date of the final rejection. 5) ☑ The period for reply expiresmonths from the mailing date of the final rejection. 6) ☐ The period for reply expires use on: (1) the mailing date of the final rejection. 7) ☐ The period for reply expires use on: (1) the mailing date of the final rejection. 8) ☐ The period for reply expires use on: (1) the mailing date of the final rejection. 8) ☐ The period for reply expires use on: (1) the mailing date of the final rejection. 9) ☐ The period for reply expires use on: (1) the mailing date of the final rejection. 9) ☐ The period for reply expires use on: (1) the mailing date of the final rejection for the final rejection. 10) ☐ The period for reply expires use on: (1) The sequinal one of the period one of the final rejection. 11] ☐ The period for reply expires use on the final rejection for (2) one of the final rejection for final period for reply originally set in the final rejection. 12] ☐ The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal was filed on		LXammor	Aiconic				
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b) ∑ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection. Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL RELECTION. See MPEP 705.07(f). Extensions of time may be obtained under 37 CFR 1.138(a). The date on which the petition under 37 CFR 1.138(a) and the appropriate extension fee have been flied is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action: or (2) as set forth in (b) above, if checked, Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely flied, may reduce any searced patent term adjustment. See 37 CFR 1.704(b). MOTICE OF APPEAL. Company the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(a)), to avoid dismissal of the appeal. Since a Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(a)), to avoid dismissal of the appeal. Since a Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(a)), to avoid dismissal of the appeal. Since a Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(a)), to avoid dismissal of the appeal. Since a Notice of Appeal as been flied, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDMENTS If the proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) They raise the issue of new matter (see NOTE below); (b) They raise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) They are		g date of the final rejection.					
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